



**Amendment Under 37 C.F.R. § 1.116
Expedited Procedure – Art Unit 1638**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Stuiver *et al.*

Appl. No.: 09/469,812

Filed: December 22, 1999

For: **Plasmids for Plant Transformation
and Method for Using the Same**

Confirmation No.: 5404

Art Unit: 1638

Examiner: Kruse, D.

Atty. Docket: 2204.0010000/SRL/CMB

Amendment and Reply Under 37 C.F.R. § 1.116

Mail Stop AF

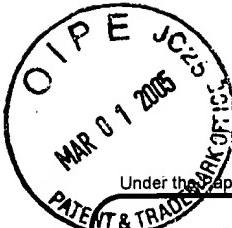
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated October 1, 2004, Applicant submits the following Amendment and Remarks. This Amendment is provided in the following format:

- (A) Each section begins on a separate sheet;
- (B) Starting on a separate sheet, amendments to the specification by presenting replacement paragraphs marked up to show changes made;
- (C) Starting on a separate sheet, a complete listing of all of the claims:
 - in ascending order;
 - with status identifiers; and
 - with markings in the currently amended claims;
- (D) Starting on a separate sheet, the Remarks.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.



Equivalent to Form
PTO/SB/17 (12-04)

Approved for use through 07/31/2006.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)
150.00

Complete if Known

Application Number	09/469,812
Filing Date	December 22, 1999
First Named Inventor	Maarten Hendrik STUIVER
Examiner Name	Kruse, David H.
Art Unit	1638
Attorney Docket No.	2204.0010000/SRL/CMB

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____
 Deposit Account Deposit Account Number: **19-0036** Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee
 Charge any additional fee(s) or underpayments of fee(s) Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

<u>Application Type</u>	FILING FEES		SEARCH FEES		EXAMINATION FEES		<u>Fees Paid (\$)</u>
	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

<u>Small Entity</u>
50 25

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

<u>Fee (\$)</u>	<u>Fee (\$)</u>
200 100	360 180

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims
29 - 20 or HP 26 = 3	x 50.00	= 150.00		<u>Fee (\$)</u> <u>Fee Paid (\$)</u>

HP = highest number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)		
4 - 3 or HP 4 = 0	x 200.00	= 0			

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____ / 50 = _____ (round up to a whole number)	x _____	= _____		

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: _____

Fees Paid (\$)

SUBMITTED BY	Signature	Registration No. (Attorney/Agent)	Telephone
	Cynthia M. Bouchez	47,438	(202) 371-2600
Name (Print/Type)	Cynthia M. Bouchez Date March 1, 2005		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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